



COLORADO

**Department of
Regulatory Agencies**

Public Utilities Commission

PUBLIC UTILITIES COMMISSION

Presentation to TLRC

July 23, 2024

PUC Mission

The PUC's mission is to serve the public interest by effectively regulating utilities and facilities so that the people of Colorado receive safe, reliable, and reasonably-priced services consistent with the economic, environmental and social values of the state of Colorado.

PUC Rail Oversight

Heavy/Freight Rail:

- Ensure safe public highway-rail crossings in the state.
- HB24-1030 expands the PUC's role including establishing an Office of Rail Safety and an agreement with the Federal Railroad Administration on additional safety oversight of heavy/freight rail.

Light Rail:

- Per Federal law, states have primary responsibility for overseeing the safety of the rail fixed guideway public transportation system.
- Authority dates back to 1991 (ISTEA)-increased in 2016 when FTA “significantly strengthened states’ authorities to prevent and mitigate accidents and incidents on public transportation systems.”
- The PUC has served as the official CO state safety oversight agency since 1997
 - authority to audit, inspect, investigate, and enforce the RTD Public Transportation Agency Safety Plan, safety policies, practices and procedures
 - address imminent threat to public safety, and
 - address non-responsiveness to identified issues and implement corrective action in a timely manner.³

PUC State Safety Oversight Program Authority

PUC Authority includes:

- Development of a Program Standard outlining how PUC provides safety oversight at RTD including training and Public Transportation Agency Safety Plan (PTASP) requirements
- Annually review and approve the RTD PTASP and annual report
- Audit all light-rail aspects of PTASP over a three-year period

PUC State Safety Oversight Program Authority

Continued-

- Inspect RTD activities in the right-of-way, vehicle maintenance, operator compliance, and safety department activities
- Investigate accidents, hazards, and any allegations of PTASP non-compliance
- Review and provide preliminary approval of Corrective Action Plans (CAPs) and monitor through implementation and closure
- Witness emergency drills, certification testing, etc.
- Submit annual report and other filings to FTA

PUC's Authority Does Not Include

- Tell RTD how to operate the light-rail system or control RTD light-rail vehicle movement
- Develop RTD processes and procedures
- Perform and work on the RTD system including, but not limited to, installation, vehicle and system maintenance and repair, and creation of CAPs, annual reports and PTASP
- Certify the safety of the RTD light-rail system (RTD self-certifies the safety of its system)

PUCs new Risk Based Inspection Program

- October 2022 FTA issued requirements for the development and implementation of a new risk-based inspection (RBI) program. (Implementation guidance provided a year later).
- PUC submitted its proposed RBI Program on June 14, 2024. Program must be approved/in place by October of 2024.
- Key RBI Program elements
 - Refining PUC data development sources and collecting RTD data and information to evaluate and rank RTD system risk
 - Develop, determine and prioritize PUC inspections based on risk ranking

Corrective Action Plans (CAP)

- PUC Rule 4 *Code of Colorado Regulations 723-7-7347* - CAP requirements and approval process.
- There are 5 categories of CAPs (high-serious-medium-moderate-low).
 - High and serious CAPs proposed by RTD are approved by the Commission.
- Most CAPs that need approval by the PUC fall in the serious category.
 - PUC rules allow staff to review and provide preliminary approval for serious risk CAPs so RTD can start implementing their proposed corrective actions immediately.

Corrective Action Plans

- CAPs that fall in the high category category require direct Commissioner oversight & are handled through a separate proceeding.
- The information in these high risk CAPs is available through the public “e-Filings” website.
- Review and approvals for high risk CAPs are made directly by the Commission in the proceeding as opposed to being approved during the quarterly CAP review.

RTD Light-rail System Status Update

Slow Zone #1 - E/H Lines between Colorado and Southmoor stations in both directions

Slow Zone #2 - E/R Lines southbound between Dry Creek and Orchard and both directions between County Line and Dry Creek

Slow Zone #3 - H/R Lines both directions between north of Nine Mile to south of Dayton stations in both directions

Slow Zone #4 - D Line between Oxford/City of Sheridan and Englewood Stations in both directions

QUESTIONS?